

## TOWN OF EDISTO BEACH

### AN ORDINANCE

To amend § 82-125 of the Code of Ordinances of the Town of Edisto Beach so as to clarify that it is the responsibility of owners of property on which there is a septic tank to ensure that such septic tank meets and continues to meet DHEC standards and to provide remedies and penalties.

Be it ordained by the Town Council of the Town of Edisto Beach in council duly assembled and by the authority of the same:

1. Section 82-125 of the Code of Ordinances of the Town of Edisto Beach, as amended, is further amended so as to provide that the original conditions upon which a DHEC sewer tap has been issued and which was the basis of the issuance of a building permit or certificate of occupancy must continue to exist, and to provide remedies and penalties, and when amended shall read as follows:

**Sec. 82-125. Building permits on lots with septic tanks; continuing responsibility, remedies and penalties.**

- (a) Owners of building lots where septic tank and tile field disposal systems are permissible in accordance with state Department of Health and Environmental Control (DHEC) standards may be issued a building permit for construction of improvements served by a septic tank and tile field disposal system meeting the provisions of DHEC standards and this Code, whether or not a public sewer is available at the subject lot.
- (b) Prior to the issuance of a building permit for construction of a structure or for the reconstruction of or improvement to a structure that will result in an increase of square footage of that structure or a change in use of such structure which is to be served by a new or existing septic tank and tile field disposal system, the applicant must present to the town Building Official a DHEC septic tank permit issued for such proposed construction, reconstruction, improvement, or change in use.
- (c) In the event that
  - (i) the original conditions or proposed use for which the

DHEC permit was issued change; or

(ii) the DHEC permit was issued on conditions which were not in existence;

(iii) the installed septic tank and tile field disposal system fail to meet the minimum requirements of DHEC or this Code;

Notwithstanding any action or lack of action on the part of DHEC as to its septic tank permit, such event shall be deemed to be a violation of this section, Section 86-61 and 86-64 and subject to the remedies and penalties provided in this Chapter and in Chapter 86.

2. This Ordinance shall take effect upon approval by Council.

By: Burley L. Lyons  
Burley L. Lyons, Mayor

ATTEST:

By: Linda Woods  
Linda Woods, Administrator

First Reading: February 12, 2004

Public Hearing: March 11, 2004

Adopted: April 8, 2004